

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-18 are currently pending in the application. Claims 1 and 18 are amended by the present amendment. Support for the amended claims can be found in the original specification, claims and drawings.¹ No new matter is presented.

In the Final Office Action of March 24, 2008 (herein, the Final Office Action), Claims 1-16 and 18 were rejected under 35 U.S.C. § 102(e) as anticipated by Bala et al. (U.S. Pub. 2003/0018644, Bala); and Claim 17 was rejected under 35 U.S.C. § 103(a) as unpatentable over Bala in further view of Kobata et al. (U.S. Pat. 7,051,003, Kobata).

In response to the rejection of Claims 1-16 and 18 under 35 U.S.C. § 102(e) as anticipated by Bala, Applicants submit that amended independent Claims 1 and 18 recite novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 1, for example, recites an image forming apparatus including *hardware resources comprising at least a plotter configured to form an image* and *software configured to control the hardware resources to form an image*. The image forming apparatus also includes a display unit and “a relay unit configured to ... notify said display information controlling unit of a display that is to be presented on said display unit to indicate ongoing *initialization of the application at the external apparatus* until the application becomes operational...”

As disclosed in an exemplary embodiment at Figs. 1-3 and the corresponding description in the specification, the claimed “image forming apparatus” may be a multifunction device including hardware resources 4 (e.g., scanner, plotter, etc.) configured to form an image, and software resources 5, 6 that are configured to control the hardware

¹ e.g., specification, at least at Figs. 1-5 and p. 22, l. 14- p. 23, l. 18.

resources to form an image. Also, Figs. 4-5 and p. 22, l. 14 – p. 23, l. 18 disclose an exemplary embodiment of presenting a display indicative of ongoing preparation, or initialization, of an application at an external apparatus at the image forming apparatus.

Independent Claim 18, while directed to an alternative embodiment, is amended to recite similar features. Accordingly, the remarks and arguments presented below are applicable to each of amended independent Claims 1 and 18.

Turning to the applied reference, Bala describes a method and program storage device for creating a tabular data stream flow for sending rows of secure data between a client workstation and a server computer over a network using a common object request broker architecture (CORBA).² The method includes receiving a request to create a query form at the client work station, receiving a worksheet grid form defining selected tabular data, and packaging the worksheet grid form representing an updated status of the data for the tabular data stream flow.

In rejecting the features directed to the “image forming apparatus,” the Final Office Action relies on the client workstation 150, which is described at paragraph [0039] of Bala. This portion of Bala describes that the client workstation 150 can be a general purpose personal computer (PC) that has a windowing-type operating system configured to run commercially-available graphical user interface (GUI) application such as the Microsoft Windows NT equivalent operating system in a network environment. The PC also includes a central processing unit (CPU), system memory, a modem or network card for connecting the personal computer to the Internet/Intranet, and a display, plus other components not specifically shown such as a keyboard, floppy drive, mouse, etc.

Thus, Bala merely describes that the client workstation 150 is a user PC, with attributes typically found in a user PC. Claim 1, on the other hand, is amended to specify that

² Bala, Abstract.

the image forming apparatus includes “**hardware resources comprising at least a plotter configured to form an image** and **software configured to control the hardware resources to form an image.**” The client workstation 150 of Bala fails to include hardware resources configured to form an image, whatsoever, much less a plotter and software configured to control the plotter.

Further, Claim 1 is amended to clarify that the image forming apparatus includes “a relay unit configured to ... notify said display information controlling unit of a display that is to be presented on said display unit to indicate ongoing **initialization of the application at the external apparatus** until the application becomes operational...” Bala fails to disclose this claimed feature.

In rebutting the previously presented arguments directed to the “relay unit,” the Advisory Action of July 15, 2008 (herein, the Advisory Action) cites paragraphs [0073]-[0074] of Bala and asserts that the relay unit is the client workstation 150, and that the display of the client workstation 150 downloads data from the database to the client and a user at the client may locally make changes to the database material, but not upload the changes to the database until they are satisfied that the modified plans are ready for use by processes or users executing on the database 160. Therefore, this cited portion of Bala merely describes that changes to the database 160 are made locally, and then updated to the database.

Independent Claim 1, on the other hand, is amended to specify that the relay unit notifies “said display information controlling unit of a display that is to be presented on said display unit to indicate ongoing **initialization of the application at the external apparatus** until the application becomes operational.” Bala, in contrast, describes that the client 150 already has established a connection to the external database 160, or application, and is manipulating data downloaded from the database. The external application, or database, is already operational and an operational connection is already established with the server 110

storing the remote database 160 (e.g. application). Thus, the cited portion of Bala clearly fails to teach or suggest a relay unit configured to notify the display of data that is to be presented on the graphical user interface of the client to indicate *ongoing initialization of the application at the external apparatus*, as recited in independent Claim 1. Instead, as noted above, in the cited portion of Bala, access to the application, or database 160, has already become operational to the user and the client workstation 150 has already accessed the operational application at the remote database 160.

Bala, therefore, fails to disclose an image forming apparatus including *hardware resources comprising at least a plotter configured to form an image* and *software configured to control the hardware resources to form an image*, and “a relay unit configured to ... notify said display information controlling unit of a display that is to be presented on said display unit to indicate ongoing *initialization of the application at the external apparatus* until the application becomes operational,” as recited in amended independent Claim 1.

Accordingly, Applicants respectfully request that the rejection of Claim 1 (and Claims 2-16 which depend therefrom) under 35 U.S.C. § 102 be withdrawn. For substantially similar reasons, it is also submitted that independent Claim 18 patentably defines over Bala.

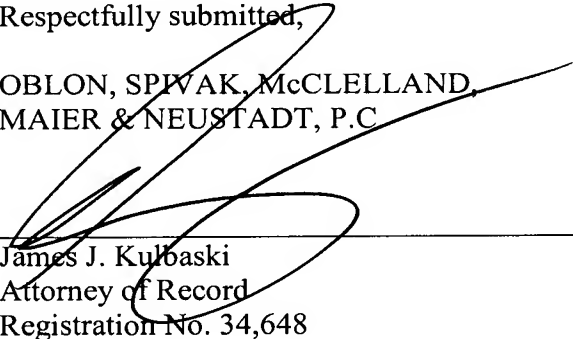
With regard to the rejection of Claim 17 under 35 U.S.C. § 103 as unpatentable over Bala in view of Kobata, it is noted that Claim 17 depends from Claim 1, and is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Kobata fails to cure any of the above-noted deficiencies of Bala.

Accordingly, Applicants respectfully request that the rejection of Claim 17 under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-18 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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